

**THE MINUTES OF THE BOARD OF EQUALIZATION MEETING HELD
MONDAY, APRIL 27, 2015 AT 5:30 P.M.**

The Board of Equalization met at 5:30 p.m. in the City Council Chambers of the County-City Building in Lincoln, Nebraska as required by law.

Members Present: Jon Camp, Roy Christensen, Jonathan Cook, Doug Emery, Carl Eskridge, Trent Fellers, Leirion Gaylor Baird.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

ELECTION OF CHAIRPERSON

FELLERS Nominated Doug Emery as Chair.
 Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
EMERY Took the Chair and proceeded with the reading of the procedures to be followed during Public Hearing on matters presented to the Board.

PUBLIC HEARING

COLLEGE VIEW MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: SOUTH 48TH STREET BETWEEN CALVERT STREET AND PIONEERS BOULEVARD; HAVELOCK STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: HAVELOCK AVENUE FROM CORNHUSKER HIGHWAY ON THE WEST TO 64TH STREET ON THE EAST;
NORTH 27TH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: NORTH 26TH STREET ON THE WEST TO NORTH 28TH STREET ON THE EAST AND FROM THE CENTERLINE OF O STREET ON THE NORTH TO FAIR STREET ON THE SOUTH PRIMARILY INCLUDING THOSE PROPERTIES ABUTTING NORTH 27TH STREET;
SOUTH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: SOUTH STREET FROM THE ALLEY WEST OF 9TH STREET EAST TO 19TH STREET;
UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING ALONG NORTH 48TH STREET FROM COLBY STREET ON THE SOUTH TO THE HALF BLOCK NORTH OF ADAMS STREET ON THE NORTH AND ALONG SAINT PAUL AVENUE FROM NORTH 47TH STREET TO NORTH 50TH STREET - David Landis, Director of Urban Development, came forward and stated that an analysis has been done for each of the 5 BID's and they do not have uniform changes this year because they are in different circumstances in the cycle of the BID. All have increases of 5 percent or less. College View and Havelock are more significant because there is a maintenance warranty for the first year for College View and 2 years for Havelock. All maintenance is done under that warranty for those periods of time so the costs are lower.

Ron Cane, Urban Development, came forward and stated he was available for questions regarding the calculations on these assessments.

Council Chair Emery inquired about the group of lights on the corner of Havelock and 61st Street and if those lights were working now.

Wynn Hjermsstad, Urban Development, came forward and stated the lights are working, but there are some globes that still have problems and are missing. They are working with the manufacturer and the local electrical company to find a solution.

This matter was taken under advisement.

VOTING SESSION

COLLEGE VIEW MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: SOUTH 48TH STREET BETWEEN CALVERT STREET AND PIONEERS BOULEVARD.

CAMP Moved approval of College View Maintenance Business Improvement District.
 Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

HAVELOCK STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT GENERALLY EXTENDING FROM: HAVELOCK AVENUE FROM CORNHUSKER HIGHWAY ON THE WEST TO 64TH STREET ON THE EAST.

CHRISTENSEN Moved approval of Havelock Street Maintenance Business Improvement District.
 Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ADJOURNMENT

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

Alexis Traylor, Office Specialist

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 27, 2015 AT 5:30 P.M.**

The Meeting was called to order at 5:39 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Cook, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

ESKRIDGE Having been appointed to read the minutes of the City Council proceedings of April 20, 2015, reported having done so, found same correct.

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

RECOGNITION

Council Chair Emery welcomed Boy Scout Troops 7 and 36 to the City Council Meeting.

PUBLIC HEARING

APPLICATION OF MCFARLAND FAMILY FARMS, LLC DBA MAC'S CREEK WINERY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT CANOPY STREET AND Q STREET ON JUNE 6 & 27, JULY 11 & 25, AUGUST 15 & 29, SEPTEMBER 5, 12, & 26, AND OCTOBER 10, 2015 FROM 8:00 A.M. TO 12:00 P.M. - Barry McFarland, Business Manager, Mac's Creek Winery, came forward to answer questions. He said that all wine sampling will be done within the tented area. Discussion followed.

This matter was taken under advisement.

APPROVING THE BLUE BLOOD BREWING COMPANY REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BLUE BLOOD BREWING COMPANY, INC. RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 3235 SOUTH 10TH STREET FOR CONSTRUCTION OF A BREWERY AND TAPROOM, INCLUDING RENOVATION, RESTORATION, AND OPENING OF ROBBER'S CAVE;

AMENDING THE FY 14/15 CIP TO AUTHORIZE AND APPROPRIATE \$130,000.00 IN TIF FUNDS FOR THE BLUE BLOOD BREWING COMPANY REDEVELOPMENT PROJECT;

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE BLUE BLOOD BREWING COMPANY ROBBER'S CAVE PROJECT - David Landis, Director of Urban Development, came forward and stated that this will be a 12,000 sq. ft. structure, and there is the prospect of the Cave being open and available for public events. The amount of the TIF is \$130,000.00 and the total cost is \$1.7 million from several different sources.

Council Member Eskridge inquired if parking was adequate to handle the needs of this project.

Mr. Landis said the Van Dorn Park parking area allows for an additional 120 parking slots within easy walking distance.

Council Member Gaylor Baird asked about the agreement provisions protecting public access and making sure that it is enforceable in the agreement.

Mr. Landis stated that public use was in the agreement and briefly recited that information.

John Austin, 826 S 14th St, came forward and stated he knew the individual who previously owned this property and was glad to see this area being redeveloped.

Brian Podwinski, 9322 S 28th St, Blue Blood Brewing, came forward and stated that without TIF the project would not be going forward. He said this property does present several challenges and it would not be feasible without some sort of TIF support. He said they do have enough parking stalls for their location, however, they are looking at another piece of the property that could allow adding another 32 stalls. He stated that their number of SDL's will reduce with projections from this project and their current tavern and that this was a developer purchase bond.

Sam Manzitto, 3400 South Hope Court, contractor for Roberts Cave, came forward and stated the site has some challenges with a 20 ft plus drop from east to west, and grain elevators on 2 sides. He believes that the project is a good fit for this location.

Council Member Camp asked if the break down of the impact fees was known in the various categories.

Mr. Manzitto responded that he had not seen the actual break down of the impact fees.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND US LAWN FOR THE ANNUAL REQUIREMENTS FOR MOWING AT SOUTH STREET MAINTENANCE SHOP, PURSUANT TO QUOTE NO. 5073, FOR A FOUR-YEAR TERM - PRIOR to reading:

FELLERS Moved to delay Action for 1 week to 05/04/15.

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPOINTING GENE CRUMP TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2018 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88880 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Gene Crump to the Nebraska Capitol Environs Commission for a term expiring January 9, 2018 is hereby approved.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING ALAN DOSTER AND CRAIG STRONG TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR TERMS EXPIRING APRIL 15, 2018 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88881 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Alan Doster and Craig Strong to the Lincoln-Lancaster County Board of Health for terms expiring April 15, 2018 are hereby approved.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REAPPOINTING DAN KUBR TO THE BUILDING CODE BOARD OF APPEALS FOR A TERM EXPIRING APRIL 1, 2018 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88882 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Dan Kubr to the Building Code Board of Appeals for a term expiring April 1, 2018 is hereby approved.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING HOME VISITING SERVICES CONTRACT 59298 04 BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER HEALTH DEPARTMENT, AND THE STATE OF NEBRASKA TO PROVIDE HOME VISITING SERVICES FOR AT RISK FAMILIES FOR A TERM OF JULY 1, 2015 THROUGH JUNE 30, 2019 WITH FOUR OPTIONAL ANNUAL RENEWALS - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88883 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Home Visiting Services Contract 59298 04 between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department, and the State of Nebraska, to provide evidence-based home visiting services for the State of Nebraska for a term of July 1, 2015 through June 30, 2019 with four optional annual renewals, in accordance with the terms, conditions, and assurances contained in said Contract, which is attached hereto as Exhibit "A", is hereby approved and the Mayor is hereby authorized to execute said amended Contract on behalf of the City.

The City Clerk is directed to return the executed copies of the Contract to Judy Halstead, Director of the Lincoln-Lancaster County Health Department.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON APRIL 20, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

LINCOLN ELECTRIC SYSTEM FINANCIAL & OPERATING STATEMENT FOR THE MONTH OF MARCH, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (40)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE LINDSEY STIRLING CONCERT ON MAY 30, JUNE 1, & JUNE 2, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88884 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Lindsey Stirling Concert on May 30, June 1, & June 2, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT 400 PINNACLE ARENA DRIVE FOR CELEBRATE LINCOLN ON JUNE 4, 5, 6, 2015 FROM 6 A.M. TO 2 A.M. AND JUNE 7, 2015 FROM 12 A.M. TO 4 P.M. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88885 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at 400 Pinnacle Arena Drive for Celebrate Lincoln on June 4, 5, 6, 2015 from 6 a.m. to 2 a.m. and June 7, 2015 from 12 a.m. to 4 p.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE WIDESPREAD PANIC CONCERT ON JUNE 22, 23 & 24, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88886 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Widespread Panic Concert on June 22, 23 & 24, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE JIM GAFFIGAN CONCERT ON JULY 30, 31 & AUGUST 1, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88887 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Jim Gaffigan Concert on July 30, 31 & August 1, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**REGULAR MEETING
APRIL 27, 2015
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SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE STYX & LOVERBOY CONCERT ON AUGUST 8, 9 & 10, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88888 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Styx & Loverboy Concert on August 8, 9 & 10, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE PRAIRIE HOME COMPANION EVENT ON AUG. 20, 21, & 22, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88889 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Prairie Home Companion Event on Aug. 20, 21, & 22, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF SMG FOOD & BEVERAGE LLC DBA PINNACLE BANK ARENA FOR AN OUTDOOR SDL AT PINWOOD BOWL AT 3201 S. CODDINGTON FOR THE HOZIER PWB CONCERT ON SEPT. 10, 11 & 12, 2015 FROM 6 A.M. TO 2 A.M. EACH DAY - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88890 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of SMG Food & Beverage LLC dba Pinnacle Bank Arena for an Outdoor SDL at Pinewood Bowl at 3201 S. Coddington for the Hozier PWB Concert on Sept. 10, 11 & 12, 2015 from 6 a.m. to 2 a.m. each day.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF BLUE BLOOD BREWING CO. DBA BLUE BLOOD BREWING FOR AN OUTDOOR SDL AT 500 W SOUTH ST. ON MAY 16, 2015 FROM NOON TO 11:59 P.M. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88891 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of Blue Blood Brewing Co. dba Blue Blood Brewing for an Outdoor SDL at 500 W South St. on May 16, 2015 from noon to 11:59 p.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF FAMOUS DAVE'S RIBS-U INC DBA FAMOUS DAVE'S FOR AN OUTDOOR SDL AT 2750 PINE LAKE RD. ON MAY 30, 2015 FROM 4 P.M. TO 10:30 P.M. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88892 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of Famous Dave's Ribs-U Inc dba Famous Dave's for an Outdoor SDL at 2750 Pine Lake Rd. on May 30, 2015 from 4 p.m. to 10:30 p.m.
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, MAY 4, 2015 AT 3:00 P.M. ON THE APPLICATION OF KEN'S LIQUOR INC FOR AN OUTDOOR SDL AT THE LINCOLN CHILDREN'S ZOO AT 1222 SOUTH 27TH ST., ON MAY 30, 2015 FROM 4 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-88893 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 4, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of Ken's Liquor Inc for an Outdoor SDL at the Lincoln Children's Zoo at 1222 South 27th St., on May 30, 2015 from 4 p.m. to 1:00 a.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone No. 15004, requested by REGA Engineering, the Vavrina Meadows Planned Unit Development (PUD); for a change of zone from R-3 Residential District, B-2 Planned Neighborhood Business District, and H-4 General Commercial District to R-3, B-2 and H-4 PUD; for a Planned Unit Development District designation of said property; and for special permitted uses including a Residential Health Care Facility and Early Childhood Care Facility and for approval of the development plan, which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and Design Standards, on property generally located at South 14th Street and Yankee Hill Road.

Change of Zone No. 15010, requested by Brett Harris, to designate the former Nebraska Wesleyan Hospital as a Landmark, changing the zoning district from B-3 to B-3 with landmark overlay, on property generally located at North 48th Street and Madison Avenue.

Special Permit No. 15022, requested by LA Home Builders, to allow for the expansion of a nonconforming use, to encroach into the front yard setback, on property generally located at 2120 Woodsdale Blvd.

Special Permit No. 168B, requested by Loy Todd, an amendment to the existing special permit to allow for the expansion of a paved parking lot in a residential district, with a request to adjust the front yard setback, on property generally located at South 13th Street and H Street.

Special Permit No. 1856A, requested by Design Associates of Lincoln, to amend the special permit to allow a building addition to the existing residential healthcare facility for up to a maximum of 27 residents, on property generally located at 4610 Mandarin Circle.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 15025 to Use Permit #123E, Landmark Corporate Center, approved by the Acting Planning Director on April 14, 2015, requested by REGA Engineering, to change one lot into 3 lots (Lot 13-15, Block 2) and to revise notes accordingly, on property generally located at N. 33rd Street and Folkways Boulevard.

Administrative Amendment No. 15020 to Change of Zone #2179E, Central Park PUD, approved by the Acting Planning Director on April 16, 2015, requested by Tom Fitchett, increase the amount of floor area from 37,650 square feet to 38,350 square feet, on property generally located at N. 52nd & R Streets.

Administrative Amendment No. 15030 to Special Permit #1854, Zion Church, approved by the Acting Planning Director on April 17, 2015, requested by Verizon Wireless, to rescind Special Permit #1854 originally approving personal wireless antennas in the steeple of Zion Church, on property generally located at 848 D Street.

LIQUOR RESOLUTIONS

REQUEST OF ONE FAMILY LLC DBA ALSULTAN LOUNGE AT 1637 P ST. TO CLOSE UNTIL OCTOBER 31, 2015 UNDER A "HARDSHIP STATUS" DUE TO THEIR ESTABLISHMENT BURNING DOWN:

CAMP Moved for Approval.

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None

APPLICATION OF JANELLI SANCHEZ VARGAS DBA CIELITO LINDO FOR THE ADDITIOIN OF A CATERING LICENSE TO THEIR CLASS I LIQUOR LICENSE AT 100 NORTH 1ST STREET, SUITE 1 - PRIOR to reading:

CAMP Moved to delay Public Hearing and Action for 1 week to 05/04/15.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF MCFARLAND FAMILY FARMS, LLC DBA MAC’S CREEK WINERY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT CANOPY STREET AND Q STREET ON JUNE 6 & 27, JULY 11 & 25, AUGUST 15 & 29, SEPTEMBER 5, 12, & 26, AND OCTOBER 10, 2015 FROM 8:00 A.M. TO 12:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its approval for adoption:

A-88894 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of McFarland Family Farms, LLC dba Mac’s Creek Winery for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Canopy Street and Q Street, Lincoln, Nebraska, on June 6 & 27, July 11 & 25, August 15 & 29, September 5, 12, & 26, and October 10, 2015, between the hours of 8:00 a.m. and 12:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:
1. Identification to be checked on all parties wishing to consume alcohol sample and purchase bottles of wine for off-sale purchase only.
2. Responsible alcohol service practices shall be followed.
BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF APRIL 1-15, 2015 - PRIOR to reading:

GAYLOR BAIRD Moved to Amend Bill No. 15R-77 in the following manner:
Add the following under ALLOWED SETTLEMENT CLAIMS:
LITIGATION SETTLEMENT:
Lailoma Ayubzai \$65,000.00
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Roy Christensen, who moved its adoption as amended:

A-88895 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the claims listed in the attached report, marked as Exhibit "A", dated April 16, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Todd Henkel	\$1,16.95	Dan Thompson	\$188.00
State Farm Insurance		Kurt Frye	241.90
a/s/o Ronald Guenther	1,281.61	<u>LITIGATION SETTLEMENT</u>	
Richard Draper	67.20	Lailoma Ayubzai	65,000.00
Courtney Baillie	153.34		
Tricia Burt	500.45		

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.
Introduced by Roy Christensen
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

APPROVING THE BLUE BLOOD BREWING COMPANY REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BLUE BLOOD BREWING COMPANY, INC. RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 3235 SOUTH 10TH STREET FOR CONSTRUCTION OF A BREWERY AND TAPROOM, INCLUDING RENOVATION, RESTORATION, AND OPENING OF ROBBER'S CAVE. (RELATED ITEMS: 15R-78, 15R-79, 15-60) (ACTION DATE: 5/4/15)

AMENDING THE FY 14/15 CIP TO AUTHORIZE AND APPROPRIATE \$130,000.00 IN TIF FUNDS FOR THE BLUE BLOOD BREWING COMPANY REDEVELOPMENT PROJECT. (RELATED ITEMS: 15R-78, 15R-79, 15-60) (ACTION DATE: 5/4/15)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE BLUE BLOOD BREWING COMPANY ROBBER'S CAVE PROJECT. (RELATED ITEMS: 15R-78, 15R-79, 15-60) - CLERK read an ordinance, introduced by Roy Christensen, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$130,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Blue Blood Brewery redevelopment project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS - (as required)

VACATION 14010 - VACATING THE EAST/WEST ALLEY BETWEEN O STREET AND N STREET FROM THE WEST LINE OF 23RD STREET TO THE EAST LINE OF THE ANTELOPE CREEK CHANNEL - CLERK read an ordinance, introduced by Jon A. Camp, vacating the east-west alley between O Street and N Street from the west line of 23rd Street west to the east line of Outlot F, Antelope Valley 2nd Addition, generally located southwest of the intersection of South 23rd Street and O Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#20187**, is recorded in Ordinance Book 29.

TEXT AMENDMENT 15002 - AMENDING SECTION 27.63.200 OF THE LINCOLN MUNICIPAL CODE RELATING TO CLUBS TO DELETE THE SETBACK REQUIREMENT; AND REPEALING SECTION 27.63.200 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon A. Camp, amending Section 27.63.200 the Lincoln Municipal Code relating to Clubs to delete the requirement that clubs be set back from all yard lines a distance of not less than one foot for each one foot of building height; and repealing Section 27.63.200 of the Lincoln Municipal Code as hitherto existing, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#20188**, is recorded in Ordinance Book 29.

AMENDING CHAPTER 12.08 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKS, GENERAL RULES AND REGULATIONS, BY AMENDING SECTION 12.08.070, UNLAWFUL TO BE IN PARK AFTER HOURS, TO SPECIFY THAT A VIOLATION OF THAT SECTION SHALL BE AN INFRACTION; AND AMENDING SECTION 12.08.340 TO SPECIFY THAT A VIOLATION OF ANY PROVISION OF TITLE 12 OR ANY RULE OR REGULATION ADOPTED PURSUANT TITLE 12 SHALL BE A MISDEMEANOR, UNLESS OTHERWISE SPECIFICALLY PROVIDED - CLERK read the following ordinance, introduced by Jon A. Camp, amending Chapter 12.08 of the Lincoln Municipal Code relating to Parks, General Rules and Regulations, by amending Section 12.08.070, Unlawful to be in Park After Hours, to specify that a violation of that section shall be an infraction; amending Section 12.08.340 to specify that a penalty for violation of any provision of Title 12 or any rule or regulation adopted pursuant Title 12 shall be a misdemeanor, unless otherwise specifically provided; and repealing Sections 12.08.070 and 12.08.340 of the Lincoln Municipal Code as hitherto existing, the third time.

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CAMP Moved to pass the ordinance as read.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#20189**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 15007 - APPLICATION OF M&W HOLDINGS FOR A CHANGE OF ZONE FROM R-3
RESIDENTIAL DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-4
RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET
AND INDIGO ROAD - CLERK read the following ordinance, introduced by Jon A. Camp, amending the
Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal
Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the
districts established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#20190**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 15008 - APPLICATION OF EIGER CORPORATION FOR A CHANGE OF ZONE FROM
AG AGRICULTURAL DISTRICT AND AGR AGRICULTURAL RESIDENTIAL DISTRICT TO B-5
PLANNED REGIONAL BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH
84TH STREET AND PINE LAKE ROAD. (RELATED ITEMS: 15-57, 15R-71) - CLERK read an
ordinance, introduced by Jon A. Camp, amending the Lincoln Zoning District Maps adopted by reference
and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln
Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP Moved to pass the ordinance as read.
Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook
Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.
The ordinance, being numbered **#20191**, is recorded in Ordinance Book 29.

USE PERMIT 140E - APPLICATION OF EIGER CORPORATION TO EXPAND THE BOUNDARY OF THE
EXISTING USE PERMIT BY APPROXIMATELY 17 ACRES TO ALLOW AN AUTOMATED CAR
WASH AND AN APPROXIMATELY 210,000 SQUARE FOOT FREE-STANDING SUPER STORE, ON
PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND PINE LAKE ROAD.
(RELATED ITEMS: 15-57, 15R-71) (ACTION DATE: 4/27/15) - CLERK read a resolution, introduced by
Jon Camp, who moved its adoption:

A-88896 WHEREAS, Eiger Corporation has submitted an application in accordance with Section 27.64.010
of the Lincoln Municipal Code designated as Use Permit No. 140E to amend the use permit for Prairie Lake
Regional Shopping Center to expand the boundary of the existing use permit by approximately 17.47 acres
to allow for an additional 210,000 square foot super store and an 11,000 square foot car wash, on property
generally located at South 84th Street and Pine Lake Road, legally described as follows:

LOTS 2 AND 3, BLOCK 1, AND OUTLOT "O", APPIAN WAY ADDITION; LOT 1,
APPIAN WAY 1ST ADDITION; LOT 1, APPIAN WAY 2ND ADDITION; LOT 1,
APPIAN WAY 3RD ADDITION; LOTS 1, 2 AND 3, APPIAN WAY 4TH
ADDITION; LOTS 1, 2 AND 3, APPIAN WAY 5TH ADDITION; LOTS 1 AND
2, APPIAN WAY 6TH ADDITION; LOTS 1, 2, 3, 4 AND 5, AND OUTLOT "A",
APPIAN WAY 7TH ADDITION; LOTS 1 AND 2, APPIAN WAY 9TH ADDITION;
LOTS 1 AND 2, AND OUTLOT "A", APPIAN WAY 11TH ADDITION; LOT 2,
APPIAN WAY 12TH ADDITION; LOT 1, APPIAN WAY 13TH ADDITION; LOTS
1, 2, 3 AND 4, AND OUTLOT "A", APPIAN WAY 14TH ADDITION; AND LOTS
1 AND 2, BLOCK 1, LOT 1, BLOCK 2, AND OUTLOTS "A", "B", "C", "D"
AND "E", APPIAN WAY 15TH ADDITION, ALL LOCATED IN SECTION 23,
TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH. P.M., CITY OF LINCOLN,
LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST
QUARTER OF SAID SECTION 23; THENCE EASTERLY ON THE NORTH
LINE OF SAID NORTHWEST QUARTER ON AN ASSIGNED BEARING OF S
89°30'32"E, A DISTANCE OF 229.80', TO A POINT OF INTERSECTION WITH
THE EAST RIGHT-OF-WAY LINE FOR SOUTH 84TH STREET, SAID POINT
BEING THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE WEST
LINE OF OUTLOT "A", APPIAN WAY 15TH ADDITION; THENCE ON SAID
WEST LINE FOR THE NEXT THREE (3) COURSES, N 0°52'18"W 56.57';
THENCE N 0°19'32"W 111.49'; THENCE N 44°36'44"E 39.64', TO A POINT ON
THE SOUTH LINE OF RELOCATED PINE LAKE ROAD; THENCE EASTERLY
ON SAID SOUTH LINE, N 89°37'32"E 129.50'; THENCE SOUTHERLY FOR
THE NEXT TWO COURSES ON A LINE OF SAID OUTLOT "A", S 0°11'09"W
148.46'; THENCE S 0°29'28"W 50.00', TO A POINT ON THE NORTH LINE
OF SAID NORTHWEST QUARTER; THENCE EASTERLY ON SAID NORTH

LINE, S 89°30'32"E 965.26'; THENCE N 12°38'36"E 41.43'; THENCE S 72°15'11"E 188.73', TO THE POINT OF CURVATURE OF A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1099.09' AND A CENTRAL ANGLE OF 11°06'40"; THENCE ON SAID CURVE, HAVING A CHORD OF S 77°48'18"E 212.81'; THENCE S 86°25'49"E 118.09'; THENCE S 89°49'12"E 605.71'; THENCE N 88°41'42"E 50.63', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 740.00' AND A CENTRAL ANGLE OF 1°56'57"; THENCE ON SAID CURVE, HAVING A CHORD OF N 89°40'12"E 25.17'; THENCE S 0°29'28"W 5.23', TO A POINT ON THE NORTH LINE OF SAID OUTLOT "O", APPIAN WAY ADDITION AND ON THE SOUTH RIGHT OF WAY LINE OF PINE LAKE ROAD, SAID POINT ALSO BEING ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 735.00' AND A CENTRAL ANGLE OF 41°15'52"; THENCE ON SAID CURVE, HAVING A CHORD OF S 68°52'37"E 517.98', TO A POINT ON THE WEST RIGHT OF WAY LINE FOR SOUTH 91st STREET; THENCE ON SAID WEST RIGHT OF WAY LINE FOR THE NEXT THREE (3) COURSES, S 2°19'38"E 35.39', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1065.00' AND A CENTRAL ANGLE OF 57°34'57"; THENCE ON SAID CURVE, HAVING A CHORD OF S 13°09'07"W 1025.85'; THENCE S 27°23'01"W 36.15', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR HERITAGE LAKES DRIVE; THENCE ON HERITAGE LAKES DRIVE RIGHT OF WAY LINE FOR THE NEXT SIX (6) COURSES, S 71°04'43"W 57.97', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 264.00' AND A CENTRAL ANGLE OF 22°09'07"; THENCE ON SAID CURVE, HAVING A CHORD OF S 82°09'17"W 101.43'; THENCE S 3°13'50"W 72.00', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 336.00' AND A CENTRAL ANGLE OF 22°09'07"; THENCE ON SAID CURVE, HAVING A CHORD OF N 82°09'17"E 129.10'; THENCE N 71°04'43"E 57.97', TO A POINT ON THE WEST RIGHT OF WAY LINE FOR SOUTH 91ST STREET; THENCE ON SAID WEST RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES, S 65°13'34"E 36.15', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1065.00' AND A CENTRAL ANGLE OF 5°27'34"; THENCE ON SAID CURVE, HAVING A CHORD OF S 24°56'00"E 101.44'; THENCE S 27°39'47"E 937.76', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 935.00' AND A CENTRAL ANGLE OF 22°49'13"; THENCE ON SAID CURVE, HAVING A CHORD OF S 16°15'10"E 369.94'; THENCE S 42°24'34"W 34.43', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR ANDERMATT DRIVE; THENCE ON THE RIGHT OF WAY LINE FOR ANDERMATT DRIVE FOR THE THREE (3) COURSES, S 88°53'45"W 174.03'; THENCE S 1°06'15"E 72.00'; THENCE N 88°53'45"E 174.03', TO A POINT ON THE WEST RIGHT OF WAY LINE FOR SOUTH 91ST STREET; THENCE ON SAID WEST RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES, S 44°37'04"E 34.43', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 935.00' AND A CENTRAL ANGLE OF 41°42'18"; THENCE ON SAID CURVE, HAVING A CHORD OF S 23°29'13"W 665.65'; THENCE S 44°20'22"W 400.02'; THENCE S 85°41'38"W 37.53', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR NEBRASKA HIGHWAY NO. 2; THENCE ON SAID NORTH RIGHT OF WAY LINE FOR THE NEXT THREE (3) COURSES, N 52°57'07"W 206.15'; THENCE N 56°19'51"W 780.25'; THENCE N 52°26'00"W 758.61', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR SOUTH 87TH STREET; THENCE ON THE RIGHT OF WAY LINE FOR SOUTH 87TH STREET FOR THE NEXT SEVEN (7) COURSES, N 14°44'12"W 39.56', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 350.00' AND A CENTRAL ANGLE OF 21°57'58"; THENCE ON SAID CURVE, HAVING A CHORD OF N 9°55'33"E 133.36', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 250.00' AND A CENTRAL ANGLE OF 30°00'47"; THENCE ON SAID CURVE, HAVING A CHORD OF N 13°56'57"E 129.46', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1550.00' AND A CENTRAL ANGLE OF 4°14'10"; THENCE ON SAID CURVE, HAVING A CHORD OF N 58°39'35"W 114.57', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 364.50' AND A CENTRAL ANGLE OF 30°45'45"; THENCE ON SAID CURVE, HAVING A CHORD OF S 14°19'26"W 193.36', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 235.50' AND A CENTRAL

ANGLE OF 14°51'55"; THENCE ON SAID CURVE, HAVING A CHORD OF S 6°22'31"W 60.93'; THENCE S 70°21'51"W 30.30', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR NEBRASKA HIGHWAY NO. 2; THENCE ON SAID NORTH RIGHT OF WAY LINE FOR THE NEXT SIX (6) COURSES, N 57°09'01"W 556.12'; THENCE N 45°55'04"W 202.24'; THENCE N 53°03'46"W 200.03'; THENCE N 58°00'35"W 400.90'; THENCE N 43°05'38"W 117.22'; THENCE N 10°49'43"W 18.79', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR SOUTH 84TH STREET; THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE FOR THE NEXT SEVEN (7) COURSES, N 29°00'57"E 22.22', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1020.00' AND A CENTRAL ANGLE OF 29°41'38"; THENCE ON SAID CURVE, HAVING A CHORD OF N 14°10'08"E 522.72'; THENCE N 0°40'41"W 155.34', TO THE POINT ON A CIRCULAR CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 280.00' AND A CENTRAL ANGLE OF 1°35'07"; THENCE ON SAID CURVE, HAVING A CHORD OF N 20°09'19"E 7.75', TO THE POINT ON A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 320.00' AND A CENTRAL ANGLE OF 11°28'25"; THENCE ON SAID CURVE, HAVING A CHORD OF N 5°03'32"E 63.97'; THENCE N 0°40'41"W 151.61'; THENCE N 44°19'19"E 22.42', TO A POINT ON THE SOUTH RIGHT OF WAY LINE FOR EIGER DRIVE; THENCE ON THE RIGHT OF WAY LINE FOR EIGER DRIVE FOR THE NEXT THREE (3) COURSES, N 89°19'19"E 330.59'; THENCE N 0°22'12"W 120.00'; THENCE S 89°19'19"W 338.88', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR SOUTH 84 TH STREET; THENCE ON THE EAST RIGHT OF WAY LINE OF SOUTH 84th STREET AND THE WEST LINE OF OUTLOT "A", APPIAN WAY 15th ADDITION FOR THE NEXT SIX (6) COURSES, N 29°44'08"W 39.33'; THENCE N 0°13'54"W 371.54', TO A POINT OF CURVATURE OF A CIRCULAR CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 11°28'42", A RADIUS OF 280.00' AND AN ARC LENGTH OF 56.09'; THENCE ON SAID CURVE, HAVING A CHORD OF N 5°30'27"E 56.00', TO A POINT OF REVERSE CURVATURE FOR A CIRCULAR CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 11°28'42", A RADIUS OF 320.00' AND AN ARC LENGTH OF 64.11'; THENCE ON SAID CURVE, HAVING A CHORD OF N 5°30'27"E 64.00', TO THE POINT OF TANGENCY; THENCE ON SAID TANGENT, N 0°13'54"W 109.04'; THENCE N 0°52'18"W 50.89', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 7,971,201.95 SQUARE FEET OR 182.99 ACRES, MORE OR LESS.

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Eiger Corporation, hereinafter referred to as "Permittee", to expand the boundary of the existing use permit by approximately 17.47 acres to allow for an additional 210,000 square foot super store and an 11,000 square foot car wash, be and the same is hereby granted under the provisions of Section 27.64.010 of the Lincoln Municipal Code upon condition that construction and operation of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit expands the site plan for Use Permit 140E by 17.47 acres to allow for an additional 210,000 square foot super store and an 11,000 square foot car wash.
2. Before receiving building permits:
 - a. The Permittee shall submit a revised site plan showing the following revisions:
 - i. A driveway connection from South 88th Street through the parking lot extending to the north edge of the property line/use permit boundary which is in line with the Pine Lake Road driveway for Lot 81.
 - ii. A grading and drainage plan revised to the satisfaction of Public Works and Utilities.
 - b. Final plat(s) are approved by the City.
 - c. City Council approves Change of Zone #15008.
3. Before occupying the buildings all development and construction shall substantially comply with the approved plans.
4. All privately-owned improvements, including landscaping, are to be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
5. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.

7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the use permit. The City Clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans; however, the terms and conditions of all resolutions approving previous permits shall remain in force and effect except as specifically amended by this resolution.

Introduced by Jon Camp

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

RESOLUTIONS - 1ST READING

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND ACP INTERNATIONAL DBA SA-SO FOR THE ANNUAL SUPPLY FOR FIBER CABLE MARKER TAGS, PURSUANT TO QUOTE NO. 5076, FOR A FOUR YEAR TERM.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND ACCURATE FORMS AND SUPPLIES FOR THE ANNUAL SUPPLY FOR PARKING TICKET ENVELOPES, PURSUANT TO QUOTE NO. 5053, FOR A FOUR-YEAR TERM.

ASSESSING NUISANCE ABATEMENT COSTS ASSOCIATED WITH THE CLEAN UP WORK BY THE BUILDING AND SAFETY DEPARTMENT ON THE PROPERTY GENERALLY LOCATED AT 340 NW 19TH STREET.

APPROVING 48 BOWL, INC. DBA HOLLYWOOD BOWL AS A KENO SATELLITE SITE AT 920 NORTH 48TH STREET.

APPROVING THE RENEWAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA-LINCOLN OFFICE OF ONLINE AND DISTANCE EDUCATION TO PROVIDE FOR ONLINE PORTAL AND PROGRAM DELIVERY FOR ONLINE FOOD HANDLER AND CITY ALCOHOL/SELLER TRAINING PROGRAMS.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$10,181.36 FROM GENERAL FUND, ACCOUNT 01001.5989 (DISCRETIONARY FUNDS OF JONATHAN COOK) TO ACCOUNT 409360.6138, PARKS & RECREATION DEPARTMENT CIP COMMUNITY ACTION PROGRAM.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 15011 - APPLICATION OF TRONCONE FAMILY TRUST FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 9400 SOUTH 56TH STREET - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

TEXT AMENDMENT 15003 - AMENDING SECTION 27.63.090 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE THAT THE NUMBER OF MEMBERS RESIDING IN A DWELLING FOR MEMBERS OF A RELIGIOUS ORDER MAY BE INCREASED UP TO 100% WHEN THE DWELLING IS LOCATED WITHIN 600 FEET FROM THE BOUNDARY OF A SCHOOL, CHURCH, OR EARLY CHILDHOOD CARE FACILITY SERVED BY THE MEMBERS AND AMENDING TABLE 27.72.010(C) "EXCEPTIONS TO THE MINIMUM LOT REQUIREMENTS IN THE AG AND AGR DISTRICTS" IN SECTION 27.72.010(C) OF THE LINCOLN MUNICIPAL CODE TO ALLOW A DWELLING FOR MEMBERS OF A RELIGIOUS ORDER IN THE AG DISTRICT ON A LOT HAVING A MINIMUM AREA OF FIVE ACRE - CLERK read an ordinance, introduced by Jonathan Cook, amending Title 27 of the Lincoln Municipal Code relating to the Zoning Code by amending Section 27.63.090 to provide that the number of members residing in a dwelling for members of a religious order may be increased up to 100% when the dwelling is located within 600 feet from the boundary of a school, church, or early childhood care facility served by the members; and amending Table 27.72.010(c) "Exceptions to the Minimum Lot Requirements in the AG and AGR Districts" in Section 27.72.010 to allow dwellings for members of a religious order in the AG district on a lot having a minimum lot area of five acres; and repealing Sections 27.63.090 and 27.72.010 of the Lincoln Municipal Code as hitherto existing, the first time.

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VACATION 15004 - VACATING APPROXIMATELY 0.34 ACRES OF M STREET RIGHT-OF-WAY ALONG THE SOUTH SIDE OF “M” STREET FROM A POINT 15 FEET WEST OF THE EAST RIGHT-OF-WAY LINE OF 7TH STREET TO THE WEST RIGHT-OF-WAY LINE OF 8TH STREET, AND A PORTION OF L STREET RIGHT-OF-WAY ALONG THE NORTH SIDE OF “L” STREET FROM A POINT 15 FEET WEST OF THE EAST RIGHT-OF-WAY LINE OF 7TH STREET TO THE WEST RIGHT-OF-WAY LINE OF 8TH STREET. (RELATED ITEMS: 15-64, 15R-84, 15R-85) - CLERK read an ordinance, introduced by Jonathan Cook, vacating approximately 0.34 acres of M Street right-of-way along the south side of “M” Street from a point 15 feet west of east right-of-way line of 7th Street to the west right-of way line of 8th Street, and a portion of L Street right-of-way along the north side of “L” Street from a point 15 feet west of the east right-of-way line of 7th Street to the west right-of-way line of 8th Street, the first time.

APPROVING A PERMANENT SUBSURFACE UNDERGROUND GEOTHERMAL AND PERMANENT ABOVE GROUND ACCESS EASEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE DAIRY HOUSE, LLC GRANTING THE DAIRY HOUSE AN EASEMENT TO INSTALL, OPERATE, INSPECT, MAINTAIN, REPAIR, AND REPLACE GEOTHERMAL WELLS BENEATH A PORTION OF THE 8TH STREET AND “M” STREET PUBLIC RIGHT OF WAYS; AND GRANTING THE DAIRY HOUSE AN EASEMENT TO CONFIGURE, STRIPE, MARK, AND USE PORTIONS OF THE SURFACE OF SAID RIGHT-OF-WAYS FOR PARKING AND ACCESS ACROSS THE EASEMENT AREAS TO PERFORM SUCH WORK, ON PROPERTY GENERALLY LOCATED BETWEEN “M” STREET AND “L” STREET AND 7TH STREET AND 8TH STREET. (RELATED ITEMS: 15-64, 15R-84, 15R-85)

APPROVING A MAINTENANCE AND REPAIR AND PUBLIC ACCESS EASEMENT AGREEMENT BETWEEN THE DAIRY HOUSE, LLC AND THE CITY OF LINCOLN, GRANTING THE CITY A MAINTENANCE AND REPAIR EASEMENT OVER A PORTION OF VACATED M STREET AND L STREET, TO MAINTAIN AND REPAIR THE ABUTTING NON-VACATED M AND L STREET AND GRANTING THE CITY A PUBLIC ACCESS EASEMENT TO USE THE SIDEWALKS LOCATED ON VACATED M STREET AND L STREET OR GRANTOR’S PROPERTY FOR PEDESTRIAN ACCESS, ON PROPERTY GENERALLY LOCATED BETWEEN “M” STREET AND “L” STREET AND 7TH STREET AND 8TH STREET. (RELATED ITEMS: 15-64, 15R-84, 15R-85)

OPEN MICROPHONE

Jane Svoboda, no address given, came forward to state various concerns.
This matter was taken under advisement.

John Austin, 826 S. 14th St, came forward to state his concerns about the City.
This matter was taken under advisement.

6:15 P.M.

ADJOURNMENT

CAMP Moved to adjourn the City Council Meeting of April 27, 2015.
Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers; Gaylor Baird; NAYS None.

Teresa J. Meier, City Clerk

Alexis Traylor, Office Specialist